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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Herrmann

Serial No.: 10/748,910

Group No.: 3677

Filed: Dec. 22, 2003

Examiner: A. Jackson

For: CUSHION GRIPS FOR SPRAY BOTTLES

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the official filing receipt received from the PTO in the above-referenced application for which issuance of a corrected filing receipt is respectfully requested.

2. There is an error with respect to the following data which is:

- ( ) incorrectly entered  
and/or  
(X) omitted

Error in

Correct data

- |     |                        |    |   |
|-----|------------------------|----|---|
| ( ) | Applicant's name       | 1. |   |
| ( ) | Applicant's address    | 2. |   |
| ( ) | Title                  | 3. |   |
| ( ) | Filing date            | 4. |   |
| ( ) | Serial number          | 5. |   |
| ( ) | Attorney Docket No.    | 6. |   |
| (X) | Domestic Priority Data | 7. | CLAIMS PRIORITY TO<br>60/435,208 12/20/2002 |

3. (Complete the following applicable item A or B)

A. (X) The correction(s) is/are not due to any error by Applicant and no fee is due. See attached Decision Granting Petition and Application Data Sheet.

OR

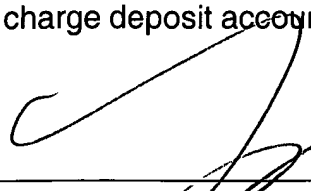
B. ( ) At least one of the above corrections is due to Applicant's error.



If there are any fees associated with this making these corrections, the Assistant Commissioner of Patents is hereby authorized to charge deposit account no. 07-1180 for such fee.

Reg. No.: 37,424

Tel. No.: (734) 913-9300

  
\_\_\_\_\_  
*Signature of Attorney*

John G. Posa

Gifford, Krass, Groh, Sprinkle,  
Anderson & Citkowski, P.C.

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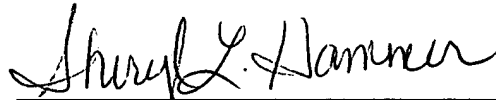
FAX (734) 913-6007

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**CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: Nov. 30, 2005

  
\_\_\_\_\_  
Sheryl L. Hammer



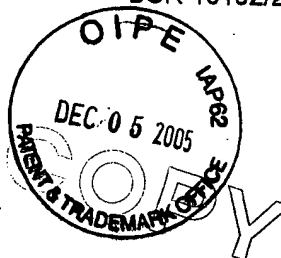


## UNITED STATES PATENT AND TRADEMARK OFFICE

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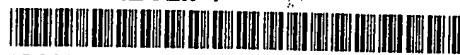
APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/748,910	12/22/2003	3676	385	BCR-10102/29	10	15	1

John G. Posa  
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280 N. Old Woodward Ave., Suite 400  
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CONFIRMATION NO. 8376

## FILING RECEIPT



\*OC000000012270764\*

Date Mailed: 04/05/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Thomas Herrmann, Bloomfield Hills, MI;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 04/02/2004

Projected Publication Date: 06/23/2005

Non-Publication Request: No

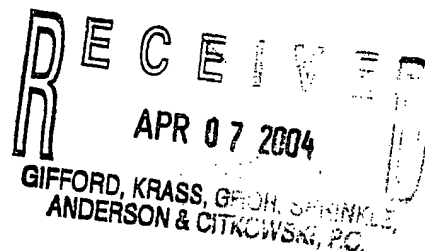
Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Cushion grips for spray bottle

Preliminary Class



✓



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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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**NOT GRANTED**

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MAR 08 2004

OFFICE OF PETITIONS

In re Application of  
Herrmann  
Application No. 10/748,910  
Filed: December 22, 2003  
Attorney Docket No. BCR-10102/29  
For: CUSHION GRIPS FOR SPRAY BOTTLE

DECISION GRANTING  
PETITION

COPY

This is a decision on the petition filed February 4, 2004 under 37 CFR 1.10(d), requesting that the above-identified application be accorded a filing date of December 22, 2003, rather than December 24, 2003.

Petitioner requests the earlier filing date on the basis that the application was deposited in United States Postal Service (USPS) Express Mail service on December 22, 2003, pursuant to the requirements of 37 CFR 1.10. The petition is accompanied by a copy of a USPS Pickup Service Statement showing Express Mail Label No. EV340745473US was picked up on December 22, 2003. The same Express Mail label number is found on the original application papers. In addition, petitioner has provided a letter from Charles Thomas, Jr. a USPS Customer Service Manager in Ann Arbor, MI that states the subject Express Mail package was picked up on December 22, 2003.

Paragraph (d) of 37 CFR 1.10 states that:

Any person filing correspondence under this section that was received by the Office and delivered by the "Express Mail Post Office to Addressee" service of the USPS, who can show that the "date-in" on the "Express Mail" mailing label or other official notation entered by the USPS was incorrectly entered or omitted by the USPS, may petition the Commissioner to accord the correspondence a filing date as of the date the correspondence is shown to have been deposited with the USPS, provided that:

(1) The petition is filed promptly after the person becomes aware that the Office has accorded, or will accord, a filing date based upon an incorrect entry by the USPS;

(2) The number of the "Express Mail" mailing label was placed on the paper(s) on fee(s) that constitute the correspondence prior to the original mailing by "Express Mail"; and

(3) The petition includes a showing which establishes, to the satisfaction of the Commissioner, that the requested filing date was the date the correspondence was deposited in "Express Mail Post Office to Addressee" service prior to the last scheduled pickup for that day. Any showing pursuant to this paragraph must be corroborated by evidence from the USPS or that came into being after deposit and within one business day of the deposit of the correspondence in the "Express Mail Post Office to Addressee" service of the USPS.



A grantable petition under 37 CFR 1.10(d) must include "a showing which establishes, to the satisfaction of the Commissioner, that the requested filing date was the date the correspondence was deposited in "Express Mail Post Office to Addressee" service prior to the last scheduled pickup for that day." In addition, the showing "must be corroborated by evidence from the USPS or that came into being after deposit and within one business day of the deposit of the correspondence in the 'Express Mail Post Office to Addressee' service of the USPS."

The petition filed February 4, 2004 is accompanied by the corroborating evidence required by the rule. Accordingly, the petition is **GRANTED**. No petition fee has been or will be charged in connection with this matter.

The application is being returned to the Office of Initial Patent Examination for correction of the filing date to **December 22, 2003** and the mailing of a corrected filing receipt.

Thereafter, the application will be forwarded to Technology Center Art Unit 3676 for examination in due course.

Any inquiries related to this decision should be directed to the undersigned at (703) 308-6712.



E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions





## INVENTOR INFORMATION

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COPY

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## APPLICATION INFORMATION

Title Line One:

CUSHION GRIPS FOR SPRAY BOTTLE

Total Drawing Sheets:  
Formal Drawings?:

10  
No

Application Type:

Utility

Docket Number:

BCR-10102/29

## REPRESENTATIVE INFORMATION

Representative Customer Number:

025006

## PRIORITY INFORMATION

This is a: Non-provisional of prov.:  
Filing Date:

60/435,208  
December 20, 2002